

**EDUCATIONAL EXAMINERS BOARD[282]**

**Adopted and Filed**

**Rule making related to unethical practice**

The Educational Examiners Board hereby amends Chapter 25, “Code of Professional Conduct and Ethics,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 272.2.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 272.2 and 2020 Iowa Acts, Senate File 2360.

*Purpose and Summary*

2020 Iowa Acts, Senate File 2360, directs the Board to update language regarding unethical practice under certain conditions. This amendment implements those changes.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 7, 2020, as **ARC 5214C**. A public hearing was held on October 28, 2020, at 1 p.m. in the Board Room, 701 East Court Avenue, Suite A, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Board on November 18, 2020.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 282—Chapter 6.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on January 20, 2021.

The following rule-making action is adopted:

Amend subrule 25.3(6) as follows:

**25.3(6)** *Standard VI—unethical practice toward other members of the profession, parents, students, and the community.* Violation of this standard includes:

- a. to r.* No change.
- s.* Failure of an administrator to protect the safety of staff and students.
- t.* Failure of an administrator to meet mandatory reporter obligations.
- u.* Refusal of the practitioner to implement provisions of an individualized education program or behavioral intervention plan.
- v.* Habitual nonparticipation in professional development by the practitioner.

[Filed 11/19/20, effective 1/20/21]

[Published 12/16/20]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/16/20.